



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/817,136	03/27/2001	Shinji Hiratsuka	32178-170563	7085

26694 7590 08/26/2003

VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP
P.O. BOX 34385
WASHINGTON, DC 20043-9998

EXAMINER

DANG, KHANH NMN

ART UNIT	PAPER NUMBER
----------	--------------

2181

DATE MAILED: 08/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/817,136

Applicant(s)

HIRATSUKA, SHINJI

Examiner

Khanh Dang

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2181

DETAILED ACTION

A description must be provided to each box in Figs. 1, 2a, 3a, 4a, 4b, 5a, and 5b. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-18 are directed to a "device." However, the essential structural cooperative relationships between structural elements recited in the claims have been omitted, such omission amounting to a gap between the necessary structural connections. See MPEP 2172.01.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 7, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Deng.

At the outset, it is first noted that similar claims will be grouped together to avoid repetition in explanation.

As broadly drafted, these claims do not define any structure that differs from Deng. With regard to claim 1, Deng discloses a serial bus data control device (generally shown in Figs. 2 and 3) for being provided to communication equipment to receive two or more packets each being sent through a serial bus (58, for example) and each being composed of a header (generally shown in Figs. 6, 9, and 10), actual data (generally shown in Figs. 6, 9, and 10, for example) positioned subsequently to the header and a footer (in any packet, there is always a tail pointer to indicate an end of the packet; in Deng, the COMPLETE 100/ACK 102) positioned subsequently to the actual data comprising: a preprocessing section (not particularly labeled) to recognize each of the two or more packets received through the serial bus (58, for example) and to divide at least the actual data (generally shown in Figs. 6, 9, and 10, for example) contained in each of said recognized packets into two or more pieces of unit length data each having a predetermined data length (in Deng, each data packet can be divided into partitions containing several blocks of data each having a predetermined data length; see at least the abstract and column 7, line 55 to column 9, line 27); and a storing section (FIFO storage, for example) to temporarily store at least the actual data contained in each of the packets recognized by the preprocessing section; whereby the

preprocessing section is provided with an address control circuit (the at least Read Pointer in Deng) to assign a continued address of said storing section, at least, to the unit length data constituting the actual data contained in each of the recognized packets composed of the header, the actual data and the footer. With regard to claim 2, as any packet transmitted using IEEE 1394 specification, in Deng, the packet is configured with a header. The header packet is followed by a data block which consists of a plurality of data quadlets with the last quadlet being a data CRC quadlet. The packet header contains a transaction code (information) which defines the packet type of a primary packet. The transaction packet code (information) specifies the packet format and the type of transaction that shall be performed such as a write request for a data quadlet, a write request for a data block, read requests for data quadlets and data blocks, and read responses for data quadlets and data blocks. See also Figs. 9 and 10; and description thereof. With regard to claims 7 and 8, according to IEEE 1394 specification, header and footer are stored in a single place separately from actual data (parsing). See IEEE 1394 specification which is readily available from the Internet, for example.

Allowable Subject Matter

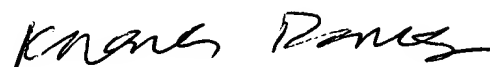
Claims 3-6, and 9-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Application/Control Number: 09/817,136
Art Unit: 2181

Page 5

U.S. Patent Nos. 6,513,087 to Arima, 6,363,428 to Chou et al., 6,304,553 to Gehman et al., and 6,513,085 to Gugel et al. are cited as relevant art.

Any inquiry concerning this communication should be directed to Khanh Dang at telephone number 703-308-0211.

A handwritten signature in black ink, appearing to read "Khanh Dang". The signature is fluid and cursive, with the first name "Khanh" and last name "Dang" clearly distinguishable.

Khanh Dang
Primary Examiner